

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

KIERAN RAVI BHATTACHARYA,

Plaintiff,

v.

JAMES B. MURRAY, JR., *et al.*,

Defendants.

CASE NO. 3:19-cv-00054

ORDER

JUDGE NORMAN K. MOON

Nonparty Angel Hsu, M.D., filed a motion for costs and reasonable attorney's fees. Dkt. 521. Pursuant to 28 U.S.C. § 636(b)(1)(B), the Court referred this motion to United States Magistrate Judge Joel C. Hoppe. Judge Hoppe issued a Report & Recommendation ("R&R"), which recommended that the Court deny Dr. Hsu's motion. Dkt. 549. He also recommended that the Court direct Plaintiff Kieran Ravi Bhattacharya to refile a version of his proposed Second Amended Complaint, Dkt. 149-1, that redacts all references to Dr. Hsu's personal and medical information and order that the original document be sealed. Dkt. 549 at 17. Though parties were advised of the right to object to the R&R within fourteen days, and that failure to timely file objections may result in waiver of review of the R&R, *id.* at 17, no objections were filed within the fourteen-day period.

The Court reviews de novo every portion of an R&R to which objections have been filed. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). But where, as here, no objections to an R&R are filed, the Court reviews only for clear error. *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005); Fed. R. Civ. P. 72 advisory committee's note. In that case, the Court need not provide any explanation for adopting the R&R. *Camby v. Davis*, 718 F.2d 198,

199–200 (4th Cir. 1983) (“Absent objection, we do not believe that any explanation need be given for adopting the report.”).

No objections to the R&R have been filed, and the Court can discern no clear error therein. Indeed, as the R&R demonstrates, the magistrate judge carefully scrutinized the record and Dr. Hsu’s arguments in making his recommendation.

Accordingly, the Court **ORDERS** that:

1. The R&R is **ADOPTED** in its entirety, Dkt. 549;
2. Dr. Hsu’s motion for costs and reasonable attorney’s fees is **DENIED**, Dkt. 521;
3. Plaintiff Bhattacharya is **DIRECTED** to refile a version of his proposed Second Amended Complaint, Dkt. 149-1, that redacts all references to Dr. Hsu’s personal and medical information.
4. The Clerk of Court is **DIRECTED** to seal the original document, Dkt. 149-1.

The Clerk of Court is directed to send this Order to all counsel of record.

Entered this 7th day of November, 2022.



NORMAN K. MOON
SENIOR UNITED STATES DISTRICT JUDGE